

## In the United States Court of Federal Claims

No. 19-49C  
(Filed: March 25, 2019)

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JOSHUA D. FIKE and HEATHER M. FIKE, \*

Plaintiffs, \*

v. \*

THE UNITED STATES, \*

Defendant. \*

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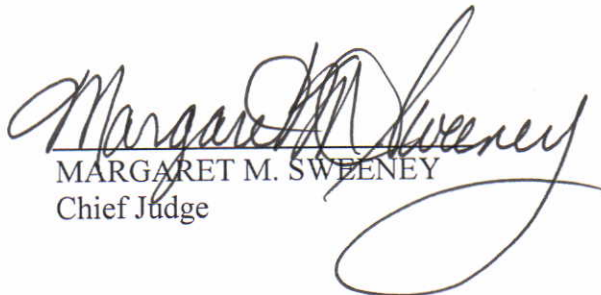
### ORDER

Plaintiffs in the above-captioned case, proceeding pro se, filed a complaint on January 7, 2019. On January 29, 2019, the clerk of court issued a notice to plaintiffs that the \$400.00 check plaintiffs submitted with their complaint was returned for insufficient funds. The clerk of court advised plaintiffs that the court required a \$53.00 handling fee for the returned check.

On February 1, 2019, the court issued an order directing plaintiffs to pay the \$53.00 returned check handling fee, and also either to remit payment of \$400.00 for the court's filing fee or to file an Application to Proceed In Forma Pauperis with the court to waive the filing fee by March 4, 2019. Plaintiffs did not comply with that order, and on March 6, 2019, the court issued another order to plaintiffs to comply with the terms of the February 1, 2019 order by March 20, 2019. As of this date, the plaintiffs have not complied with these orders.

Therefore, pursuant to RCFC 41(b), plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the court's orders. The court does not award defendant costs pursuant to RCFC 54. However, plaintiffs remain liable for the \$53.00 handling fee for the returned check, as well as the \$400.00 filing fee. The \$400.00 filing fee may be waived if the plaintiffs properly file an Application to Proceed In Forma Pauperis accompanied with a motion to reopen the case. The clerk is directed to enter judgment accordingly.

**IT IS SO ORDERED.**

  
MARGARET M. SWEENEY  
Chief Judge

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